

State of California
Regional Water Quality Control Board
North Coast Region

Holly Lundborg
January 22, 2007

EXECUTIVE OFFICER'S SUMMARY REPORT
1:30 p.m., February 7, 2007
Regional Water Quality Control Board
Hearing Room
5550 Skylane Boulevard, Suite A
Santa Rosa, California

ITEM: 2

SUBJECT: 2007 Triennial Review of the *Water Quality Control Plan for the North Coast Region*

INTRODUCTION

The purpose of this item is to provide background information on the federally mandated triennial review process required for the *Water Quality Control Plan for the North Coast Region* and to provide a schedule for completing the required 2007 review.

THE TRIENNIAL REVIEW PROCESS

Both state and federal water quality laws require periodic review of all adopted basin plans to ensure that the basin plans are consistent with changes in regulation, technologies, policies and physical conditions since the last review period. State law requires "periodical review" while the federal statute requires review at least every three year period (triennial review). The Regional Water Boards are responsible for this review, and are required to: 1) identify those portions of the Basin Plan which are in need of modification or new additions; 2) adopt water quality standards as appropriate; and 3) recognize those portions of the Basin Plan which do not require revisions as they continue to accurately reflect existing regulatory and physical conditions. The review process includes holding public hearings to identify water quality issues of concern which could be remedied by revision of the Basin Plan. Following the public comment period, Regional Water Boards evaluates the comments to determine if revisions to water quality standards are warranted. Water quality issues are then ranked and prioritized by the Regional Water Board to set planning staff activities over the next review (three year) period. Water quality standards include beneficial uses of water and water quality objectives (narrative, numeric and antidegradation).

At the conclusion of the Triennial Review, the Regional Water Board will adopt a resolution which: 1) summarizes those sections of the Basin Plan which the Regional Water Board has determined to be appropriate and accurate; and 2) sets forth a prioritized list of potential revisions to the Basin Plan. A copy of the priority list from the 2004 Triennial Review is included as Attachment 1.

STATUS OF BASIN PLAN AMENDMENTS

Water quality control plans (Basin Plans) provide the basis for protecting water quality in California. Basin Plans are mandated by both the federal Clean Water Act (CWA) and the State Porter-Cologne Water Quality Act (Porter-Cologne). Sections 13240-13247 of Porter-Cologne specify that the regional basin plans shall include the following:

- Water quality objectives which, in the judgment of the Regional Water Board, will ensure the reasonable protection of beneficial uses and the prevention of nuisance.
- The program of implementation for achieving water quality objectives, including a description of the nature of actions which are necessary to achieve the objectives, time schedules for the actions to be taken, and a description of surveillance to be undertaken to determine compliance with objectives.

The North Coast Regional Water Quality Control Board (Regional Water Board) adopted its first interim basin plans in 1971. These were followed in 1975 by a comprehensive *Water Quality Control Plan for the Klamath River Basin (1A)* and a comprehensive *Water Quality Control Plan for the North Coastal Basin (1B)*. In 1988, the Regional Water Board combined and updated the two comprehensive plans and their abstracts into a single *Water Quality Control Plan for the North Coast Region*. In 1993, the Regional Water Board again updated descriptions and corrected inaccuracies in the Basin Plan. The Regional Water Board has amended the Basin Plan numerous other times between 1975 and 2006.

STATUS OF CURRENT REVIEW

During the 2004 Triennial Review, the Regional Water Board set a list of thirty (30) priorities, including fourteen (14) high priority issues.

The first, Regionwide Sediment Amendment, is currently underway and is tentatively scheduled to be considered by the Regional Water Board in the Spring of 2007.

The second priority issue, the Antidegradation Amendment, has been through the complete basin planning process and was incorporated into the Basin Plan at the end of 2006.

The third issue, Clarification of the Seasonal Waste Discharge Prohibitions in Regard to Low Threat Discharges, is currently underway and is scheduled to be taken the Regional Water Board for consideration in early 2008.

An amendment to protect cold water salmonid habitat and provide dissolved oxygen (DO) objectives, priority four, will be addressed as part of the TMDL for the Klamath River which is currently underway.

Issue number five, bacteria objective(s), is being addressed at a statewide level and is currently underway with State Water Board staff as lead. Scoping meetings for development of a statewide bacteria objective(s) are planned for northern and southern California in the next few weeks.

TMDL and Planning staff have made significant progress on priority six, TMDL Implementation Plans. During the last Triennial Review Period, the Salmon, Scott, and Shasta River TMDLs were approved by both the Regional and State Water Boards.

Priority seven, Consider a Policy for Water Quality-Based Effluent Limitations and Mixing Zones was funded under an Association of Bay Area Governments (ABAG) contract funded by a consortium of dischargers. The contract was underway for several months when the funding parties decided to terminate the contract. The files for this project have been maintained by staff so that this project can be resurrected in the future as determined by the priority ranking and availability of funds.

Priority number eight, The Stream and Wetlands System Protection Policy, was funded under a contract with USEPA in 2005 and is being prepared jointly by Regions 1 and 2 as a potential model for all regional water boards. This project is scheduled to be brought to the Regional Water Board for consideration by June 2007.

The remaining twenty-two (22) triennial review priorities were not pursued by Regional Water Board staff due to staffing limitations.

2007 TRIENNIAL REVIEW SCHEDULE

1. Regional Water Board staff will prepare a public report which describes the status of 2004 priority list issues and an assessment of the adequacies and inadequacies of the Basin Plan. This report is intended to serve as a starting point to identify new Basin Planning issues that may be remedied with Basin Plan amendments. This staff report will be prepared and available for public comment in the summer of 2007.
2. The Regional Water Board will receive recommendations for changes to the Basin Plan from the public at duly noticed public workshops to be held in Eureka and Santa Rosa.
3. Following the comment period, a second staff report will be available to the public. This report will summarize and respond to all input received by staff.
4. The Regional Water Board will be asked to consider adopting a resolution that identifies a Priority List of potential Basin Plan amendments at the adoption hearing in Santa Rosa tentatively scheduled for October 2007.

The newly adopted Priority List will direct the planning efforts of the Regional Water Board and its staff for the next three-year period. As staffing and budget allow the Regional Water Board will consider each of the potential Basin Plan revisions identified on the Priority List. A public hearing process, separate from the Triennial Review, will apply to each issue identified on the Priority List. This allows the Regional Water Board to consider each potential basin plan amendment on its own merits.

PRELIMINARY STAFF RECOMMENDATION:

This is a written informational item. No formal Regional Water Board action is necessary at this time.